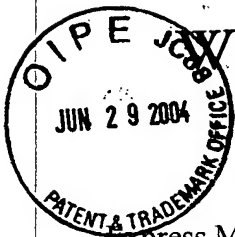


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PATENT APPLICATION

Docket No. 13447.9.2

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Daniel E. Gerbec et al.

Serial No.:

10/651,138

) Art Unit

) 3732

Filed:

August 28, 2003

Confirmation No.:

8182

For:

METHODS FOR ADJUSTABLE BONE
FUSION IMPLANT

Examiner:

David A. Bonderer

TRANSMITTAL FOR AMENDMENT "A"
AND RESPONSE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment "A" and Response for entry in the above-identified application.

X Small entity status of this application is claimed under 37 C.F.R. § 1.9 and § 1.27.

— To secure the approval of the Examiner for proposed amendments to the drawings, enclosed are the following:

— Letter to the Official Draftsperson;

* Admitted only in California

† Admitted only in New York

___ Set of _____ () sheets of drawings containing Figures _____ including the proposed amendments therein; and

___ A duplicate set of the _____ () sheets of drawings with the changes therein highlighted in red.

___ To render the transmitted Amendment "___" and Response timely filed enclosed are the following:

___ Petition for a _____-Month Extension of Time; and

___ Check No. _____ in the amount of \$ _____ to cover the fee for the extension of time.

X A Certificate of Express Mail Under 37 C.F.R. § 1.10.

___ No other additional fee is required.

The fee has been calculated as follows:

			SMALL ENTITY		LARGE ENTITY	
CLAIMS REMAINING AFTER	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'T'L FEE	RATE	ADD'T'L FEE
TOTAL 23	MINUS 25	= 8	X 9	72	X	
INDEPENDENT 4	MINUS 4	= 0	X 43	0	X	
1 st PRESENTATION OF MULTIPLE DEPENDENT CLAIM			+ _____ =		+ _____ =	
			TOTAL	72	TOTAL	

X Form PTO-2038 submitting Credit Card Payment in the amount of \$72.00 is enclosed to cover the additional claim fee.

___ Please charge my Deposit Account No. 23-3178 in the amount of _____.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17.

X A duplicate copy of this transmittal letter is attached.

Dated this 29th day of June 2004.

Respectfully submitted,



DANA L. TANGREN

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PATENT APPLICATION
Docket No. 13447.9.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
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)
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)
For:	METHODS FOR ADJUSTABLE BONE)
	FUSION IMPLANT)
)
Examiner:	David A. Bonderer)

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29th day of June 2004.

- Transmittal Letter (3 pages) (in duplicate)
- Amendment "A" and Response (17 pages)
- PTO-2038 Credit Card Payment Form in the amount of \$72
- Postcard

Respectfully submitted,

DANA L. TANGREN
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Express Mailing Label No. EV 381 918 010 US

PATENT APPLICATION
Docket No. 13447.9.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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	FUSION IMPLANT)
)
Examiner:	David A. Bonderer)

AMENDMENT "A" AND RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed from the United States Patent and Trademark Office on March 29, 2004, please enter the following amendments and remarks in the above-identified patent application:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 12 of this paper.

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